

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JOSEPH REINWAND,

ORDER

Plaintiff,

14-cv-845-bbc

v.

NATIONAL ELECTRICAL BENEFIT FUND,
LAWRENCE J. BRADLEY and FRANK BLACKBURN, M.D.,

Defendants.

In this civil action, pro se plaintiff Joseph Reinwand is proceeding on claims that his disability benefits were terminated by defendants National Electrical Benefit Fund, Lawrence J. Bradley and Frank Blackburn in violation of the Employee Retirement Income Security Act and that defendants failed to give him documents as required under the statute. In the order screening plaintiff's complaint, dkt. #5, I instructed him that his complaint and the order would be sent to the United States Marshal for service on defendants. However, I overlooked the fact that plaintiff is not proceeding in forma pauperis, which means that 28 U.S.C. § 1915(d) does not require that the court effect service on plaintiff's behalf. Rather, plaintiff must find a way to serve defendants on his own, following a method approved under Fed. R. Civ. P. 4. I have attached to this order two documents, one titled "Procedure for Serving a Complaint on a Corporation, Partnership or Unincorporated Association in a Federal Lawsuit," and one titled, "Procedure for Serving a Complaint on an Individual in a

Federal Lawsuit.” To ensure plaintiff has time to complete service on his own, I will give him an extension of time from the 120-day-deadline set out in Fed. R. Civ. P. 4(m) to serve defendants. Plaintiff should keep in mind that because he filed a supplement to his complaint, the operative complaint in this case consists of both his original complaint and the supplement, docket nos. 1 and 6.

ORDER

IT IS ORDERED that

1. The order dated January 22, 2015, dkt. #5, is AMENDED so that paragraphs six and seven of the order are deleted and replaced with the following, “Plaintiff Joseph Reinwand is directed to promptly serve his complaint on defendants National Electrical Benefit Fund, Lawrence J. Bradley and Frank Blackburn and file proof of service of his complaint as soon as service has been accomplished.”

2. Plaintiff shall have until May 18, 2015 to serve his original complaint and supplement (dkt. ##1, 6) on defendants and to file proof of service in this court. Absent good cause, plaintiff will not receive an extension of this deadline. If, by May 18, 2015, plaintiff fails to submit proof of service of his complaint on defendants or explain his inability to do so, I will direct plaintiff to show cause why his case should not be dismissed

for lack of prosecution.

Entered this 18th day of March, 2015.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge